

Assembly Bill No. 3092

CHAPTER 58

An act to amend Sections 13109 and 13117 of the Elections Code, relating to elections.

[Approved by Governor June 5, 1996. Filed with
Secretary of State June 6, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3092, Gallegos. Elections: order of ballot precedence: numbering of ballot measures.

Existing law sets forth the order of precedence in which offices and measures shall be listed on the ballot.

This bill would delete an obsolete reference to judge of the justice court.

Existing law permits the county elections official, in counties using a voting system, to vary the order of school, county, city, and district offices appearing on the ballot in order to allow for the most efficient use of space on the ballot. However, it requires that the office of Superintendent of Public Instruction always precede any school, county, or city office.

This bill would also permit those county elections officials to vary the order of ballot measures submitted to the voters for those purposes. It would also require that state measures always precede local measures.

Existing law requires that, commencing with the November 2, 1982, general election, all state measures in all elections at which state measures are submitted to a vote be numbered in a continuous sequence for a period of 20 years, recommencing with the number "1" at the completion of the 20-year cycle.

This bill would shorten that numbering cycle to a 10-year period, commencing with the November 3, 1998, general election.

The people of the State of California do enact as follows:

SECTION 1. Section 13109 of the Elections Code is amended to read:

13109. The order of precedence of offices on the ballot shall be as listed below for those offices and measures that apply to the election for which this ballot is provided. Beginning in the column to the left:

(a) Under the heading, PRESIDENT AND VICE PRESIDENT:

Nominees of the qualified political parties and independent nominees for President and Vice President.

(b) Under the heading, PRESIDENT OF THE UNITED STATES:

(1) Names of the presidential candidates to whom the delegates are pledged.

(2) Names of chairpersons of unpledged delegations.

(c) Under the heading, STATE:

(1) Governor.

(2) Lieutenant Governor.

(3) Secretary of State.

(4) Controller.

(5) Treasurer.

(6) Attorney General.

(7) Insurance Commissioner.

(8) Member, State Board of Equalization.

(d) Under the heading, UNITED STATES SENATOR:

Candidates or nominees to the United States Senate.

(e) Under the heading, UNITED STATES REPRESENTATIVE:

Candidates or nominees to the House of Representatives of the United States.

(f) Under the heading, STATE SENATOR:

Candidates or nominees to the State Senate.

(g) Under the heading, MEMBER OF THE STATE ASSEMBLY:

Candidates or nominees to the Assembly.

(h) Under the heading, COUNTY COMMITTEE:

Members of County Central Committee.

(i) Under the heading, JUDICIAL:

(1) Chief Justice of California.

(2) Associate Justice of the Supreme Court.

(3) Presiding Justice, Court of Appeal.

(4) Associate Justice, Court of Appeal.

(5) Judge of the Superior Court.

(6) Judge of the Municipal Court.

(7) Marshal.

(8) Constable.

(j) Under the heading, SCHOOL:

(1) Superintendent of Public Instruction.

(2) County Superintendent of Schools.

(3) County Board of Education Members.

(4) College District Governing Board Members.

(5) Unified District Governing Board Members.

(6) High School District Governing Board Members.

(7) Elementary District Governing Board Members.

(k) Under the heading, COUNTY:

(1) County Supervisor.

(2) Other offices in alphabetical order by the title of the office.

(l) Under the heading, CITY:

(1) Mayor.

(2) Member, City Council.

(3) Other offices in alphabetical order by the title of the office.



(m) Under the heading, DISTRICT:

Directors or trustees for each district in alphabetical order according to the name of the district.

(n) Under the heading, MEASURES SUBMITTED TO THE VOTERS and the appropriate heading from subdivisions (a) through (m), above, ballot measures in the order, state through district shown above, and within each jurisdiction, in the order prescribed by the official certifying them for the ballot.

(o) In order to allow for the most efficient use of space on the ballot in counties that use a voting system, as defined in Section 362, the county elections official may vary the order of subdivisions (j), (k), (l), (m), and (n) as well as the order of offices within these subdivisions. However, the office of Superintendent of Public Instruction shall always precede any school, county, or city office, and state measures shall always precede local measures.

SEC. 2. Section 13117 of the Elections Code is amended to read:

13117. (a) Commencing with the November 3, 1998, general election, all state measures in all elections at which state measures are submitted to a vote of the voters shall be numbered in a continuous sequence, commencing with the number “1” and continuing in numerical sequence for a period of 10 years from the year of commencement.

(b) At the completion of a 10-year cycle, the numbering sequence shall recommence with the number “1” at the next election at which state measures are submitted to a vote of the voters.

